

05/21/99
jc520 U.S. PTO

Attorney's Docket No. 69430

A
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

jc518 U.S. PTO
05/21/99
09/316539 PTO

Transmitted herewith for filing is the application of

Inventor(s): SCHUMACHER et al.

For: **PROCESS AND DEVICE FOR DETERMINING THE ACTIVITY OF ENZYMES IN LIQUIDS, OR THE CONCENTRATION AND/OR ACTIVITY OF INHIBITORS IN LIQUIDS**

1. Type of Application

This new application is for a(n)

(check one applicable item below)

- Original
- Design
- Plant
- Divisional
- Continuation
- Continuation-In-Part (C-I-P)

I hereby certify that this paper is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date.

5/21/99

Donald Smith
Date
Express Mail Label No.

EL045291705 US

2. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120 or 121)

- The new application being transmitted claims the benefit of prior U.S. application; USSN 08/793,833. Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

3. Papers Enclosed That Are Required for Filing Date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

- 15 Pages of specification
- 4 Pages of claims
- 1 Pages of Abstract
- 5 Sheets of drawing(s)
 - formal
 - informal

(complete the following if applicable)

The enclosed drawing(s) are photograph(s), and there is also attached a PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S) (37 C.F.R. 1.84(b)).

4. Additional papers enclosed

Preliminary Amendment
 Information Disclosure Statement (37 C.F.R. 1.98)
 Form PTO-1449 (PTO/SB/08A and 08B)
 Citations
 Verified Statement Claiming Small Entity Status (copy)
 Declaration of Biological Deposit
 Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
 Authorization of Attorney(s) to Accept and Follow Instructions from Representative
 Special Comments
 Other: Notification of Filing of Continuing or Divisional Application (for parent application)

5. Declaration or Oath

Enclosed (copy)

Executed by

(check all applicable boxes)

inventor(s)
 legal representative of inventor(s) (37 CFR 1.42 or 1.43)
 joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached
 This is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached. See item 13 below for fee.
 Not enclosed.
 Application is made by a person authorized under 37 C.F.R. 1.41(c) on behalf of *all* the above named inventor(s)
 Showing that the filing is authorized.

(not required unless called into question. 37 CFR 1.41(d))

6. Inventorship Statement

The inventorship for all the claims in this application are:

The same.

or

- Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,
 - is submitted.
 - will be submitted.

7. Language

- English
- Non-English
 - The attached translation is a verified translation (37 C.F.R. 1.52(d)).

8. Assignment

- An assignment of the invention to _____
 - is attached. A separate COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION or FORM PTO-1595 is also attached.
 - will follow.

9. Certified Copy

Certified copy(ies) of the application(s)

_____	_____	_____
(Country)	(Appln. No.)	(Filed)

_____	_____	_____
(Country)	(Appln. No.)	(Filed)

_____	_____	_____
(Country)	(Appln. No.)	(Filed)

from which priority is claimed

- is (are) attached.
- will follow.

10. Fee Calculation (37 C.F.R. 1.16)

A. Regular application

CLAIMS AS FILED

Number filed	Number Extra	Rate	Basic Fee
			37 C.F.R. 1.16(a) \$760.00
Total			
Claims (37 CFR 1.16(c))	12- 20 =	0	x \$18.00
Independent			
Claims (37 CFR 1.16(b))	1- 3 =	0	x \$78.00
Multiple dependent claim(s), if any (37 CFR 1.16(d))		+	\$260.00

- Amendment canceling extra claims is enclosed.
- Amendment deleting multiple-dependencies is enclosed.
- Fee for extra claims is not being paid at this time.

Filing Fee Calculation \$760.00

B. Design application
(\$310.00 -- 37 CFR 1.16(f))

Filing Fee Calculation \$

C. Plant application
(\$480.00 -- 37 CFR 1.16(g))

Filing Fee Calculation \$

11. Small Entity Statement(s)

Verified Statement(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is (are) attached.

(complete the following if applicable)

Status as a small entity was claimed in prior application 08/793,833, filed on February 18, 1997, from which benefit is being claimed for this application under:

35 U.S.C. 119(e),
 120,
 121,
 365(c).

and which status as a small entity is still proper and desired.

A copy of the verified statement in the prior application is included.

Filing Fee Calculation (50% of A, B or C above) \$380.00

12. Request for International-Type Search (37 C.F.R. 1.104(d))

(complete if applicable)

Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

13. Fee Payment Being Made at This Time

Not Enclosed

No filing fee is to be paid at this time.

Enclosed

<input checked="" type="checkbox"/> Basic filing fee	\$380.00
<input type="checkbox"/> Recording assignment (\$40.00; 37 C.F.R. 1.21(h)) (See attached COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION	\$ _____
<input type="checkbox"/> Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached (\$130.00; 37 C.F.R. 1.47 and 1.17(h))	\$ _____
<input type="checkbox"/> For processing an application with a specification in a non-English language (\$130.00; 37 C.F.R. 1.52(d) and 1.17(k))	\$ _____
<input type="checkbox"/> Processing and retention fee (\$130.00; 37 C.F.R. 1.53(d) and 1.21(l))	\$ _____

14. Method of Payment of Fees

Check in the amount of \$ 380.00

Charge Account No. _____ in the amount of \$ _____. A duplicate of this transmittal is attached.

15. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 23-0290:

37 C.F.R. 1.16(a), (f) or (g) (filing fees)

37 C.F.R. 1.16(b), (c) and (d) (presentation of extra claims)

37 C.F.R. 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a dated later than the filing date of the application)

- 37 C.F.R. 1.17 (application processing fees)
- 37 C.F.R. 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. 1.311(b))

16. Instructions as to Overpayment

- Credit Account No. 23-0290
- Refund

Dated: May 21, 1999

Gerald T. Shekleton

Gerald T. Shekleton,
Attorney or Agent of Record
Registration No. 27,466

15 4 200 6 2 2 9 1 6 0

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL*Note: Effective October 1, 1997.
Patent fees are subject to annual revision.***TOTAL AMOUNT OF PAYMENT** (\$ 380.00)*Complete If Known*

Application Number	
Filing Date	
First Named Inventor	SCHUMACHER et al.
Group Art Unit	1744
Examiner Name	
Attorney Docket Number	69430

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 23-0920
Deposit Account Name Welsh & Katz, Ltd.

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. Payment Enclosed:

Check Money Order Other

FEE CALCULATION**1. FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	790	201 395 Utility filing fee	380.00
106	330	206 165 Design filing fee	
107	540	207 270 Plant filing fee	
108	790	208 395 Reissue filing fee	
114	150	214 75 Provisional filing fee	
SUBTOTAL (1) (\$) 380.00			

2. CLAIMS

Total Claims	Extra	Fee from below	Fee Paid
12	-20 =	0 X	=
1	- 3 =	0 X	=
Multiple Dependent Claims X =			

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	22	203 11 Claims in excess of 20
102	82	202 41 Independent claims in excess of 3
104	270	204 135 Multiple dependent claim
109	82	209 41 Reissue independent claims over original patent
110	22	210 11 Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$) 380.00		

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 SurchARGE - late filing fee or oath	
127	50	227 25 SurchARGE - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	400	216 200 Extension for reply within second month	
117	950	217 475 Extension for reply within third month	
118	1,510	218 755 Extension for reply within fourth month	
128	2,060	228 1,030 Extension for reply within fifth month	
119	310	219 155 Notice of Appeal	
120	310	220 155 Filing a brief in support of an appeal	
121	270	221 135 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,320	241 660 Petition to revive - unintentional	
142	1,320	242 660 Utility issue fee (or reissue)	
143	450	243 225 Design issue fee	
144	670	244 335 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Petitions related to provisional applications	
126	240	126 240 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	790	246 395 Filing a submission after final rejection (37 CFR 1.129(a))	
149	790	249. 395 For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) _____

Other fee (specify) _____

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**SUBMITTED BY**

Typed or Printed Name

Gerald T. Shekleton

Complete (if applicable)

Reg. Number 27,466

Signature

Gerald T. Shekleton

Date 5/21/99

Deposit Account User ID 23-0920

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.